

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF OKLAHOMA**

Brenda Patterson, Personal Representative of)	
The Estate of Wade Fallon Patterson, deceased,)	
)	
Plaintiff,)	
v.)	Case No. 21-CV-247-RAW
)	
United States of America, et.al.,)	
)	
Defendants.)	

AMENDED SCHEDULING ORDER

Before the court is Defendant Wilson and Robinson Medical Resource Group's Motion to Extend Deadlines [Docket No. 101] requesting a 150 day extension. New counsel need extra time to become familiar with and complete discovery and consult with potential experts. Other defendants do not object, but Plaintiff objects to the request. The court has considered the factors in *Magraff v. Lowes HIW, Inc.*, 217 Fed.Appx. 759 (10th Cir. 2007), as to justification for an extension of time. The motion is GRANTED, in part, and the following amended deadlines are set by the Court.

A. PRETRIAL SCHEDULES:

- | | | |
|-----|---------|--|
| 1. | N/A | JOINDER OF ADDITIONAL PARTIES AND/OR AMENDMENT TO PLEADINGS. |
| 2. | 6-8-23 | EXCHANGE AND FILE WITNESS AND EXHIBIT LISTS. |
| 3. | 7-24-23 | DISCOVERY CUTOFF (<i>except Expert depositions</i>). |
| 4. | 7-17-23 | ALL DISPOSITIVE MOTIONS. |
| 5. | 8-7-23 | MOTIONS IN LIMINE AND DAUBERT ISSUES FILED. |
| 6. | 8-10-23 | EXCHANGE OF PRE-MARKED EXHIBITS. |
| 7. | 8-10-23 | EXCHANGE OF DEMONSTRATIVE EXHIBITS/AIDS. |
| 8. | 8-3-23 | PARTIES TO EXCHANGE REQUESTED JURY INSTRUCTIONS. |
| 9. | 8-3-23 | DEPOSITION DESIGNATIONS, COUNTER-DESIGNATIONS AND OBJECTIONS THERETO. All (<i>See Local Civil Rule 30.1 (c), available on the Court's website in the Rules section at http://www.oked.uscourts.gov</i>) |
| 10. | 8-17-23 | PRETRIAL CONFERENCE AT 9:30 a.m. (<i>The attorneys who will conduct the trial are required to attend the conference, unless a substitute attorney is authorized by the Court.</i>) |

11. 8-10-23 AGREED PRETRIAL ORDER DUE. (Judge White's form is available on the Court's website in the forms section at <http://www.oked.uscourts.gov>)
12. 8-10-23 AGREED JURY INSTRUCTIONS, Disputed Jury Instructions issues to be addressed in Trial Briefs. Proposed FF/CL [Non-Jury], and Trial Briefs due.

B. SETTLEMENT: In all cases scheduled for Jury or Non-Jury Trial a mandatory Settlement Conference will be conducted prior to the Pretrial Conference by a District Judge, Magistrate Judge or Adjunct Settlement Judge.

This matter is currently set for Settlement Conference on May 9, 2023 before Magistrate Judge Kimberly E. West. Should the parties desire to reschedule the settlement conference, they must file a motion for consideration by the magistrate judge.

C. TRIAL:

13. 9-6-2023 TRIAL DATE: ☒ JURY at 9:00 a.m. ☒ NON-JURY at 9:00 a.m.*
*USA

14. 3-4 days ESTIMATED TRIAL TIME.

D. EXPERT REPORTS: *See Rules 16 and 26 Federal Rules of Civil Procedure*

Plaintiff Expert Report(s) to be filed 90 days before trial
Defendant Expert Report(s) to be filed 60 days before trial
Any rebuttal Expert Report(s) to be filed 45 days before trial

IT IS ORDERED that no date set by this Order can be changed except for good cause and upon written Order of this Court prior to the date scheduled.

IT IS ORDERED that the parties comply with the disclosure requirement and attend deadlines established by Federal Rule Civil Procedure 26, unless otherwise modified by this order.

This Order is entered this 15th day of February, 2023.



RONALD A. WHITE
UNITED STATES DISTRICT JUDGE
EASTERN DISTRICT OF OKLAHOMA